IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 22714 of 2004

Between:

J. Venkatadhri, S/o. Chandraiah, aged 57 years,
Occ: Dy.Tahsildar (under suspension),

O/o. The District Collector, Warangal, Warangal District.

..... PETITIONER

AND

1. The District Collector, Warangal, Warangal District.

2. The Commissioner of Land Revenue,

Andhra Pradesh, Nampally, Hyderabad.

3. The Government of Andhra Pradesh,

Rep. by its Secretary, Revenue Department,
Secretariat, Hyderabad.

.....RESPONDENS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in keeping the petitioner under prolonged suspension as illegal, arbitrary and unconstitutional and consequentially

this Hon'ble Court may be pleased to direct the respondents to reinstate the petitioner into service with all consequential benefits by reconsidering the orders of the Hon'ble A.P. Administrative Tribunal in O.A. No.5971/2003, dated 19-3-2004 and may pass such other order or orders in the interest of justice.

Counsel for the Petitioner: MR.M.R.TAGORE

Counsel for the Respondents: GP FOR SERVICES II

The Court at the admission stage made the following:

ORDER: (Per Sri G.B,J)

The writ petition is filed assailing the order dated 19.03.2004 passed by the A.P. Administrative Tribunal, Hyderabad, in O.A.No.5971 of 2003.

2. The petitioner was removed from service in the year 1990. Questioning the dismissal order, the petitioner filed O.A.No.1908 of 1991. The Tribunal, however, allowed the said O.A. and directed for enquiry proceedings, ought to be conducted by the Tribunal. Thereupon, the petitioner continued in suspension and now it is brought to the notice of this Court that the Tribunal, for disciplinary proceedings, has already seized of the matter and proceedings are in progress. Further, it is stated that 75% of the subsistence allowance was being paid. Learned counsel for the petitioner, however, submit that the petitioner should be reinstated into service as the Collector himself also sought for necessary clarification in this regard and that he is also due to be retired from service on 31st December 2004.

3. In view of these facts, we are inclined to dispose of the writ petition directing the Tribunal for disciplinary proceedings and proceed with the enquiry expeditiously and complete the same within a period of six months from the date of receipt of a copy of this order. A copy of the order shall be sent to the Tribunal for disciplinary proceedings.

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G.BIKSHAPATHY,J

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P.S.NARAYANA,J

Date: 16th December 2004

BSB

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The District Collector, Warangal, Warangal District.

2. The Commissioner of Land Revenue,

Andhra Pradesh, Nampally, Hyderabad.

3. The Secretary, Revenue Department, Government of Andhra

Pradesh, Secretariat, Hyderabad.

4. The Registrar, A.P. Administrative Tribunal, Hyderabad

for disciplinary proceedings.

5. Two CCs to the Government Pleader for Services II, High Court

Buildings, Hyderabad (OUT).

6. Two CD copies.